

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JESUS TORRES,

Plaintiff,

v.

DANNY SAMUEL, et al.,

Defendant.

1:21-cv-01715-HBK (PC)


ORDER TRANSFERRING CASE TO THE
CENTRAL DISTRICT OF CALIFORNIA

Before the Court is Plaintiff *pro se* complaint file under 42 U.S.C. § 1983 on December 3, 2021. (Doc. No. 1). Plaintiff did not pay the filing fee or accompany his complaint with an application to proceed *in forma pauperis*. Plaintiff filed the complaint while he was incarcerated in California Men's Colony (CMC), located in San Luis Obispo, California. (*See Id.*). Although the complaint is not the model of clarity, from its attachments and to the extent discernable, it appears Plaintiff is challenging the denial of eligibility review for early parole or release while at CMC on due process grounds. (*Id.* at 8). Because the events giving rise to the cause of action occurred in San Luis Obispo County, which is in the Central District of California, and the defendants identified appear to reside in that County, Plaintiff should have filed his complaint there. *See* 28 U.S.C. § 1391(b); *see also* *Ziegler v. Indian River County*, 64 F.3d 470, 474 (9th Cir. 1995) (reviewing federal court jurisdiction and venue in a § 1983 action). The Court finds it in the interests of justice to transfer this case under 28 U.S.C. § 1406(a).

1 Accordingly, it is **ORDERED**:

2 The Clerk of Court is directed to transfer this action to the United States District Court for
3 the Central District of California.

4
5 Dated: December 8, 2021


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE